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## CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being submitted by First Class mail to the US Patent and Trademark Office: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 or transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. (571)283-8300.

Date: 11/29/10By: Andrew W. Spicer  
Andrew W. SpicerMAIL STOP AFIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Patent Application of Michael A. Plotnick et al.

Conf. No.: 5480 : Group Art Unit: 2481  
Appln. No.: 10/006,874 : Examiner: NGUYEN, Huy Thanh  
Filing Date: 14 November 2001 : Attorney Docket No.: T738-10  
Title: Alternative advertising in prerecorded media

NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant(s) hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner dated May 27, 2010.

The following item(s) are included:

- ☒ A Petition for Extension of Time with extension fee of two months to October 27, 2010, to respond to the final rejection was filed on October 27, 2010.
- ☒ A Petition for Extension of Time for one month to and including November 29, 2010 (November 27 being a Saturday) to file the Notice of Appeal and the requisite extension fee in the amount of \$620.00 are enclosed.
- ☒ Notice of Appeal fee is enclosed
- ☐ \_\_\_\_\_ .00 Small Entity has been previously established in this case.
- ☒ \$540.00.

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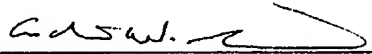
NOV 29 2010

Application No. 10/006,874

- ☐ An oral hearing before the Board of Appeals is respectfully requested.
- ☒ A Request for Pre Appeal Brief Conference is filed herewith.
- ☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 504670 as noted below.
- ☒ Notice of Appeal fee in the amount of \$540.00.
- ☒ Any overpayments or deficiencies in the above calculated fee(s).

Date:

11/29/10

  
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